

NOV-05-2003 WED 10:05 AM THORPE NORTH WESTERN

FAX NO. 566 6673

P. 09

Attorney Docket No. 22156.NP

POWER OF ATTORNEY

ECHELON BIOSCIENCES INCORPORATED, a corporation organized and existing under the laws of the State of Utah, having a business address of 675 So. Arapeen Dr., Suite 302, Salt Lake City, Utah 84108, owner of all right, title and interest in the invention entitled **LIPID PHOSPHATASE ASSAYS**, for which an application for United States Letters Patent which is **IN DISEASE AND DRUG DISCOVERY** being filed concurrently herewith as **THORPE NORTH & WESTERN, LLP** Docket No. 22156.NP, and empowered to prosecute the U.S. and foreign applications on behalf of the inventors, hereby appoint as its attorneys and/or patent agents the law firm of **THORPE NORTH & WESTERN, LLP**, having a business address of 8180 South 700 East, Suite 200, Sandy, Utah 84070, and **VAUGHN W. NORTH**, Registration No. 27,930; **M. WAYNE WESTERN**, Registration No. 22,788; **CLIFTON W. THOMPSON**, Registration No. 36,947; **GARRON M. HOBSON**, Registration No. 41,073; **PETER M. DE JONGE**, Registration No. 47,521; **WEILI CHENG**, Registration No. 44,609; **DAVID R. MCKINNEY**, Registration No. 42,868; **STEVE M. PERRY**, Registration No. 45,357; **GARY P. OAKESON**, Registration No. 44,266; **DAVID W. OSBORNE**, Registration No. 44,989; **JASON R. JONES**, Registration No. 51,008; **ERIK S. ERICKSEN**, Registration No. 48,954; **DAVID L. STOTT**, Registration No. 43,937; and **JOHN OGILVIE**, Registration No. 37,987; all with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

All correspondence concerning this application should be directed to:

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Power of Attorney

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Dated this 6th day of November, 2003 at Salt Lake City, UT (City, State).

Echelon Biosciences Incorporated

By: 

Tim Miller
President

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PATENT APPLICATION
ATTORNEY DOCKET NO. 22156.NP**DECLARATION AND PETITION**

As a below named inventor, I hereby declare: that my residence, post office address, and citizenship are as stated below next to my name; that I verily believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **LIPID PHOSPHATASE ASSAYS**, the specification of which is attached hereto, and was amended on _____ (if applicable); that the subject matter of the attached amendment or amendment filed on _____ was part of my or our invention and was invented before the filing date of the original application, above identified for such invention; that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above; and that I acknowledge the duty to disclose information which is material to patentability as defined in § 1.56(a) of Title 37 of the Code of Federal Regulations.

I hereby claim the benefit of the earlier filed patent application filed in the United States Patent and Trademark Office as application no. 60/426,572, filed on November 15, 2002; and, insofar as the subject matter of each of the claims of these applications is not disclosed in the earlier filed pending applications in the manner provided by the first paragraph of Section 112 of Title 35 of the United States code, I acknowledge the duty to disclose material information, as defined in Section 1.56(a) of Title 37 of the Code of Federal Regulations, which occurred between the filing date of the earlier filed applications and the filing date of this application.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

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Declaration and Petition
US Patent Application
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Wherefore, I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, declaration, and this petition.

Signed at Salt Lake City (City), UT (State), this 6 day of
November, 2003.

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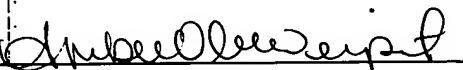
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